

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

WEDNESDAY, THE 20TH DAY OF OCTOBER 2021 / 28TH ASWINA, 1943

WP(C) NO. 2992 OF 2021

PETITIONER:

SADHIYA SIYAD
AGED 24 YEARS
NAJEEB MANZIL BETTER SHADES, TC 67/3343-48/462 JNRA 89
KALLATTUMUKKU, MANACAUD P.O., THIRUVANANTHAPURAM - 695
009

BY ADVS.
SANTHOSH MATHEW
SRI.ARUN THOMAS,
SRI.JENNIS STEPHEN
SRI.VIJAY V. PAUL,
SMT.KARTHIKA MARIA
SMT.VEENA RAVEENDRAN,
SRI.ANIL SEBASTIAN PULICKEL
SMT.DIVYA SARA GEORGE

RESPONDENTS:

- 1 STATE OF KERALA
HEALTH AND FAMILY WELFARE (S) DEPT. , GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM 695 001,
REP.BY THE PRINCIPAL SECRETARY.
- 2 THE NATIONAL MEDICAL COMMISSION
(FORMERLY KNOWN AS MEDICAL COUNCIL OF INDIA) POCKET 14,
SECTOR 8, DWARAKA, NEW DELHI 110 077, REP.BY ITS
SECRETARY.
- 3 THE REGISTRAR
TRAVANCORE-COCHIN MEDICAL COUNCIL, RED CROSS ROAD,
THIRUVANANTHAPURAM 695 035
- 4 NATIONAL BOARD OF EXAMINATIONS
(AUTONOMOUS BODY OF THE MINISTRY OF HEALTH AND FAMILY
WELFARE, GOVT. OF INDIA), NAMS BUILDING, MEDICAL
ENCLAVE, ANSARI NAGAR, NEW DELHI - 110 029, REPRESENTED
BY ITS DIRECTOR.

(ADDL.R4 IS IMPEADED AS PER ORDER DATED 19.03.2021
IN I.A.2/2021 IN WP(C)2992/2021.)

BY ADVS.
SRI.TITUS MANI
SHRI.N.RAGHURAJ, SC, TCMC & KNMC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20.10.2021, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

WEDNESDAY, THE 20TH DAY OF OCTOBER 2021 / 28TH ASWINA, 1943

WP(C) NO. 12544 OF 2021

PETITIONER:

SADHIYA SIYAD
AGED 24 YEARS
NAJEEB MANZIL BETTER SHADES, TC 67/3343-48/462 JNRA
89, KALLATTUMUKKU, MANACAUD P.O.,
THIRUVANANTHAPURAM-695 009

BY ADVS.
SANTHOSH MATHEW,
ARUN THOMAS
JENNIS STEPHEN,
KARTHIKA MARIA
ANIL SEBASTIAN PULICKEL,
DIVYA SARA GEORGE
JAISY ELZA JOE

RESPONDENTS:

- 1 THE NATIONAL MEDICAL COMMISSION
(FORMERLY KNOWN AS MEDICAL COUNCIL OF INDIA) POCKET
14, SECTOR 8, DWARAKA, NEW DELHI-110 077,
REPRESENTED BY ITS SECRETARY
- 2 TRAVANCORE-COCHIN MEDICAL COUNCIL,
RED CROSS ROAD, THIRUVANANTHAPURAM-695 035,
REPRESENTED BY ITS REGISTRAR
- 3 ASTER DM HEALTHCARE LTD,
CHERANELLOOR, SOUTH CHITTOOR, KOCHI-682 027,
REPRESENTED BY ITS CHAIRMAN
- 4 DIRECTOR -ACADEMIC AFFAIRS,
TRAINING PROGRAMME DIRECTOR- INTERNAL MEDICINE
TRAINING (IMT) UK & LEAD SENIOR CONSULTANT, INTERNAL
MEDICINE, ASTER MEDCITY, KOCHI-682 027

BY ADVS.

**SHRI.TITUS MANI VETOM, SC, MEDICAL COUNCIL OF INDIA
N.RAGHURAJ, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20.10.2021, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

WEDNESDAY, THE 20TH DAY OF OCTOBER 2021 / 28TH ASWINA, 1943

WP(C) NO. 18825 OF 2021

PETITIONER:

SADHIYA SIYAD
AGED 24 YEARS
NAJEEB MANZIL BETTER SHADES, TC 67/3343-48/462 JNRA
89, KALLATTUMUKKU, MANACAUD P.O.,
THIRUVANANTHAPURAM-695009.

BY ADVS.
SANTHOSH MATHEW, ARUN THOMAS,
JENNIS STEPHEN, KARTHIKA MARIA,
ANIL SEBASTIAN PULICKEL
JAISY ELZA JOE

RESPONDENTS:

- 1 THE NATIONAL MEDICAL COMMISSION
(FORMERLY KNOWN AS MEDICAL COUNCIL OF INDIA) POCKET
14, SECTOR 8, DWARAKA, NEW DELHI-110077, REPRESENTED
BY ITS SECRETARY.
- 2 TRAVANCORE COCHIN MEDICAL COUNCIL
RED CROSS ROAD, THIRUVANANTHAPURAM-695035,
REPRESENTED BY ITS REGISTRAR.

BY ADVS.
SHRI.TITUS MANI VETOM, SC, MEDICAL COUNCIL OF INDIA
N.RAGHURAJ, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20.10.2021, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.B.SURESH KUMAR, J.

W.P.(C) Nos.2992, 12544 and 18825 of 2021

Dated this the 20th day of October, 2021.

J U D G M E N T

The questions arise for consideration in these writ petitions instituted by the same person are common and they are, therefore, disposed of by this common judgment. The cases relate to the right of the petitioner to obtain registration with the second respondent, the Travancore Cochin Medical Council (the State Medical Council) to practice medicine in terms of the Travancore Cochin Medical Practitioners Act, 1953 (the TCMP Act).

2. The parties and documents are referred to in this judgment, unless otherwise mentioned, as they appear in W.P.(C) No.18825 of 2021.

3. The petitioner, a citizen of India, after clearing the Senior Secondary Certificate Examination from a school affiliated to the Central Board of Secondary Education joined Dubai Medical College for Girls during September, 2014 for obtaining medical qualification without obtaining Eligibility Certificate insisted in terms

of Section 13(4B) of the Indian Medical Council Act, 1956 (the IMC Act) in order to become eligible to seek medical qualification from a medical institution abroad. Later, during 2017, the petitioner applied to the then Medical Council of India (the Medical Council of India) and obtained Eligibility Certificate. The petitioner graduated the medical course during May, 2019. Thereupon, she underwent one year internship in the various teaching hospitals under the Dubai Health Authority from 21.07.2019 to 19.09.2020 as per the norms prevailing in that country in order to become eligible to be enrolled as a medical practitioner therein. On completion of the internship, the petitioner cleared the licensing examination conducted by the Dubai Health Authority for registration as medical practitioner and obtained registration for the said purpose on 18.11.2020. In the meanwhile, during June, 2019, the petitioner cleared the Screening Test in terms of Section 13(4A) of the IMC Act in order to become eligible to be enrolled in a State Medical Register in India as well.

4. It is stated by the petitioner that on the strength of the medical qualification obtained by the petitioner from the medical institution abroad and the qualification in the Screening Test, she is entitled to practice medicine in India and with a view to practice medicine in the State of Kerala, the petitioner preferred an application on 18.01.2020 to the State Medical Council for

provisional registration. On the said application, the State Medical Council directed the petitioner to file an affidavit stating, among others, that the provisional registration will not be used by her for any purpose other than doing Compulsory Rotatory Residential Internship (CRRI) in any one of the institutions approved by the Medical Council of India. Ext.P11 is the communication issued by the State Medical Council to the petitioner in this regard. In response to Ext.P11 communication, the petitioner submitted Ext.P12 affidavit before the State Medical Council on the above lines and obtained provisional registration with them on that basis.

5. According to the petitioner, since she has already undergone internship in the country of education as part of the medical course undertaken by her, she is entitled to permanent registration straightaway in the State. As such, after having obtained the provisional registration, the petitioner instituted W.P.(C) No.2992 of 2021 before this Court seeking, among others, a declaration that she is entitled to permanent registration to practice medicine in the State and also for a direction to the State Medical Council to grant permanent registration to her.

6. During the pendency of W.P.(C) No.2992 of 2021, the petitioner submitted a representation to the State Medical Council seeking permission to undertake a medical course in a private

hospital. Since the said representation of the petitioner was not considered by the State Medical Council, the petitioner instituted W.P.(C) No.12544 of 2021 seeking, among others, a direction to the State Medical Council to issue the permission sought by her for undertaking the said medical course.

7. On 15.03.2021, a counter affidavit has been filed by the State Medical Council in W.P.(C) No.2992 of 2021 stating, among others, that CRRIs in any one of the medical institutions approved by the Medical Council of India is insisted for foreign medical graduates before granting permanent registration to them with effect from 01.01.2018 in terms of Ext.P21 decision taken by the State Medical Council on 20.10.2017 in order to ensure that they learn and gain clinical experience and exposure about the epidemiological and clinical profile of local community; that they learn and understand the regional language and culture of the community; that they learn and get exposure on the unique public health care and delivery and referral system prevailing in the country and that they learn and gain experience about the national and State health intervention programs to counter the unique health challenges. It was also stated by the State Medical Council in the said counter affidavit that though Ext.P21 decision was challenged in W.P.(C) No.39576 of 2018, the challenge against the same was repelled by this Court. It

was further stated in the counter affidavit that since the petitioner has not obtained the Eligibility Certificate in terms of Section 13(4B) of the IMC Act before securing admission in the medical institution abroad, the Eligibility Certificate obtained by the petitioner after joining for the course being contrary to the provisions of the IMC Act and invalid, the petitioner was ineligible to appear for the Screening Test, for her medical qualification cannot in the circumstances be considered as a medical qualification in terms of the provisions of the IMC Act.

8. A reply affidavit has been filed by the petitioner in W.P.(C) No.2992 of 2021 to the counter affidavit filed by the State Medical Council on 15.03.2021 stating, among others, that in the light of Exts.P14 and P15 advisories issued by the Medical Council of India on 30.07.2020 and 02.09.2020 to the effect that internship completed by the Indian Nationals during their medical course abroad is sufficient to seek permanent registration in India, Ext.P21 decision of the second respondent is invalid. It was also stated by the petitioner in the said reply affidavit that since the requirement to obtain Eligibility Certificate was suspended from 15.05.2013 to 03.01.2014, on 10.09.2017, the Medical Council of India has permitted all those who have taken admission for obtaining medical qualification in medical institutions abroad on or after 04.01.2014 to

obtain Eligibility Certificate in terms of Ext.P1 public notice and since the petitioner has obtained Eligibility Certificate on the basis of the said public notice, the Eligibility Certificate obtained by her cannot be treated as invalid.

9. After W.P.(C) Nos.2992 of 2021 and 12544 of 2021 were heard and reserved for orders, the petitioner instituted W.P.(C) No.18825 of 2021, challenging Ext.P21 decision of the State Medical Council and seeking directions to the State Medical Council to permit the petitioner to apply for permanent registration with them on the basis of the internship undertaken by her as part of the medical course pursued by her in the medical institution abroad, without insisting on obtaining provisional registration. The case set out by the petitioner in W.P.(C) No.18825 of 2021 is that in the light of Exts.P14 and P15 advisories issued by the Medical Council of India, the State Medical Council cannot insist the petitioner to undergo CRRI for obtaining permanent registration; that she has preferred application for provisional registration as she was informed that permanent registration cannot be obtained without obtaining provisional registration; that Ext.P12 affidavit has been filed by the petitioner on an erroneous understanding of the provisions contained in the IMC Act and without taking note of Exts.P14 and P15 advisories, and that since the petitioner has completed

internship as part of her medical course abroad, she is entitled to permanent registration without undergoing CRRI. It is also the case of the petitioner in the said writ petition that as per the procedure prescribed by the State Medical Council, an application for registration needs to be preferred online and without furnishing the details of the provisional registration and the particulars of CRRI undergone by the applicant, an application for permanent registration cannot be uploaded and that the petitioner is therefore not able to prefer an application for permanent registration with the State Medical Council.

10. A counter affidavit has been filed by the State Medical Council in W.P.(C) No.18825 of 2021 also. In the said counter affidavit, in addition to what is already stated in the counter affidavit filed by them in W.P.(C) No 2992 of 2021, it is stated among others that applications for registration, both provisional and permanent, preferred by Indian citizens who have obtained medical qualification from medical institutions abroad are being considered and disposed of by the State Medical Council in accordance with the instructions issued by the Medical Council of India. It is also stated in the said counter affidavit that Exts.P14 and P15 advisories were issued on a wrong understanding of the provisions contained in Section 13(3) of the IMC Act.

11. Heard the learned counsel for the petitioner as also the learned Standing Counsel for the State Medical Council and the National Medical Commission, the successor of the Medical Council of India.

12. The learned counsel for the petitioner conceded, at the outset, that the petitioner was not entitled to seek permanent registration as on the date of her application for provisional registration, for she had not completed her internship by then and she is, therefore, not pressing the reliefs sought in W.P.(C) No.2992 of 2021 except the declaration sought by her that she is entitled to permanent registration. It was also pointed out by the learned counsel that it is in the said circumstances that the petitioner instituted W.P.(C) No.18825 of 2021, seeking a direction to the State Medical Council to permit the petitioner to apply for permanent registration and a direction to them to consider the application for permanent registration. It was submitted by the learned counsel that the petitioner being a person to whom the Medical Council of India has issued Eligibility Certificate in terms of Section 13(4B) of the IMC Act, being a person who has cleared the Screening Test in terms of Section 13(4A) of the IMC Act and being a person who secured a medical qualification granted by a medical institution abroad which is recognized for enrolment as medical

practitioner in the country of education, she is entitled to permanent registration with the State Medical Council. It was asserted by the learned counsel, placing reliance on the Screening Test Regulations, 2002 (the Regulations) framed by the Medical Council of India under the IMC Act that the State Medical Council cannot insist a foreign medical graduate who has already undertaken one-year internship as part of the medical course to undergo CRRI for claiming permanent registration and Ext.P21 decision taken by the State Medical Council being inconsistent with the provisions of the IMC Act and its scheme, is invalid and unenforceable. It was also argued by the learned counsel for the petitioner that insofar as the Medical Council of India has issued Eligibility Certificate to the petitioner and permitted her to undertake the Screening Test, the State Medical Council cannot examine the eligibility of the petitioner to obtain the Eligibility Certificate and appear for the Screening Test.

13. Per contra, the learned counsel for the State Medical Council submitted that W.P(C) No.2992 of 2021 and W.P(C) No.18825 of 2021 are instituted by the petitioner claiming virtually for one and the same relief and W.P(C)No. 18825 of 2021 is therefore not maintainable. It was argued by the learned counsel that Ext.P21 cannot be said to be a decision taken contrary to the scheme of the IMC Act. According to the learned counsel, the said

decision only reflects an additional requirement insisted by a State Medical Council for obtaining registration and the authority of the State Medical Council functioning under an independent statute to take such a decision cannot be questioned by the petitioner, for such decisions are not curtailed in any manner in terms of the provisions contained in the IMC Act. It was also pointed out by the learned counsel that Ext.P21 was a decision taken in public interest and a challenge against the said decision was repelled by this Court in W.P.(C) No.39576 of 2018. It was also pointed out by the learned counsel, placing reliance on the instructions issued by the Medical Council of India on 24.2.2014, that while dealing with applications of foreign medical graduates for registration, both provisional and permanent, the State Medical Council is obliged to ensure that the applicant has obtained Eligibility Certificate in terms of the provisions of the IMC Act and the State Medical Council cannot therefore be blamed for having examined the entitlement of the petitioner for registration also, de hors the question whether the petitioner needs to undergo CRRI. It was also pointed out by the learned Standing Counsel that at any rate, the petitioner is not entitled to permanent registration without undergoing CRRI, since she has undertaken the Screening Test provided for in terms of Section 13(4A) before completing the one year internship.

14. In reply to the submissions made by the learned Standing Counsel for the State Medical Council, the learned counsel for the petitioner submitted, placing reliance on the Regulations, that one may not have to complete the internship for undertaking the Screening Test in terms of the said Regulations.

15. On a query from the Court, the learned counsel for the National Medical Commission asserted that the view of the National Medical Commission is that the petitioner is not required to undergo CRRI for claiming registration, since she has already undergone internship for a period of one year as part of the medical course undertaken by her abroad.

16. In the light of the pleadings of the parties and the arguments advanced by their respective learned counsel, the following questions arise for consideration:

i) Whether a person who has not undertaken internship as part of the medical course undertaken by him/her abroad is eligible to appear in the Screening Test provided for under Section 13(4A) of the IMC Act?

ii) Whether a person who obtains Eligibility Certificate in terms of Section 13(4B) of the IMC Act after taking admission in a medical institution abroad, be denied enrolment on a State Medical Register, if he/she satisfies all other eligibility criteria for the same?

iii) Whether a person who obtains a medical qualification from a medical institution abroad and undertakes one year internship thereafter in the country of education and satisfies all other eligibility criteria for enrolment on a State Medical Register be insisted to undergo CRRI for the said purpose?

iv) Whether the State Medical Council functioning under the TCMP Act is empowered to take decisions in the nature of Ext.P21?

17. Before proceeding to examine the questions formulated for decision, it is necessary to deal with the objection raised by the learned counsel for the State Medical Council as to the maintainability of W.P.(C) No.18825 of 2021. As noted, according to the learned counsel for the State Medical Council, W.P.(C) No.18825 of 2021 is instituted by the petitioner seeking the same relief sought in W.P.(C) No.2992 of 2021 and therefore, the subsequent writ petition viz, W.P.(C) No.18825 is not maintainable. True, in W.P.(C) No.2992 of 2021, the petitioner has claimed a declaration that she is entitled to permanent registration and a direction to the State Medical Council to grant her permanent registration without insisting her to undergo CRRI. As noted, when W.P.(C) No.2992 of 2021 was instituted, the petitioner had not applied for permanent registration. The case set out by the petitioner in the said writ petition however

was that she should have been granted permanent registration by the State Medical Council on the application preferred for provisional registration as she had completed the one year internship in the country of education. As noted, at the time of arguments, the learned counsel for the petitioner conceded that the petitioner was not entitled to seek permanent registration as on the date of her application for provisional registration, for she had not completed her internship by then and she is therefore not pressing the directions sought in W.P.(C) No.2992 of 2021 except the declaration that she is entitled to permanent registration. It was also pointed out by the learned counsel that it is in the said circumstances that the petitioner instituted W.P.(C) No.18825 of 2021 after completing her internship, seeking a direction to the State Medical Council to permit the petitioner to apply for permanent registration and a direction to consider the application for permanent registration. I do not find any substance in the contention raised by the learned counsel as to the maintainability of W.P.(C) No.18825 of 2021. It is all the more so since the prayers in both the said writ petitions are not identical. The contention raised by the Standing Counsel for the State Medical Council as to the maintainability of W.P.(C) No.18825 of 2021 is therefore rejected.

18. Question (i): The eligibility of the candidate to

appear for the Screening Test provided for in Section 13(4A) of the IMC Act is prescribed in terms of the Regulations framed by the Medical Council of India in exercise of their powers under the IMC Act. Regulation 2(f) of the Regulations defines “Primary Medical Qualification”. The said definition reads thus :

2(f) "Primary Medical qualification" means a medical qualification awarded by any medical institution outside India which is a recognized qualification for enrolment as medical practitioner In the country In which the Institution awarding the said qualification is situated and which is equivalent to MBBS in India;"

Regulation 2(g) of the Regulations defines “Provisional Registration”. The said definition reads thus :

2(g) "Provisional Registration" means provisional registration in a State Medical Register or Indian Medical Register for the purpose of undergoing practical training In India as prescribed and for no other purpose by an Indian citizen possessing any primary medical qualification but has not undergone such practical training after obtaining that qualification as may be required by the rules or regulations in force In the country granting the qualification;"

Regulation 2(i) of the Regulations defines “Registration”. The said definition reads thus :

2(i) "registration" means either Provisional Registration or Permanent Registration."

Regulation 4 of the Regulations prescribes the eligibility criteria for

appearing in the Screening Test. The said definition reads thus :

“4. Eligibility Criteria.- No person shall be allowed to appear in the screening test unless:

(1) he/she is a Citizen of India or has been granted Overseas Citizenship of India and possesses any primary medical qualification, which is confirmed by the Indian Embassy concerned, to be a recognised qualification for enrolment as medical practitioner in the country in which the institution awarding the said qualification is situated;

(2) he/she had obtained 'Eligibility Certificate' from the Medical Council of India as per the 'Eligibility Requirement for taking admission in an undergraduate medical course in a Foreign Medical Institution Regulations, 2002'. This requirement shall not be necessary in respect of Indian citizens (or Overseas Citizens of India) who have acquired the medical qualifications from foreign medical institutions or have obtained admission in foreign medical institution before 15th March, 2002.

[2(A) Indian Citizens/Overseas Citizen of India intending to obtain primary medical qualification from any medical institution outside India, on or after May 2018, shall have to mandatorily qualify the 'National- Eligibility-cum-Entrance Test for Admission to MBBS course'. The result of the 'National-Eligibility-cum- Entrance Test for Admission to MBBS course' shall deem to be treated as the Eligibility Certificate for such persons, provided that such persons fulfils the Eligibility Criteria for admission to the MBBS course prescribed in the Regulations on Graduate Medical Education, 1997.]”

Regulation 5 of the Regulations deals with the purpose of the Screening Test and Regulation 11 deals with the rights conferred on persons who clear the Screening Test. Regulations 5 and 11 read

thus :

“5. The purpose of conducting the screening test shall be only to determine the eligibility or otherwise of a candidate for his or her registration with the Medical Council of India or any State Medical Council and qualifying the same shall not confer any other right, whatsoever, on a candidate. “

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“11. The Prescribed Authority shall intimate the result of the Screening Test to the candidates as well as to the Secretary, Medical Council of India and the State Medical Councils. The unsuccessful candidates shall also be appropriately informed. The candidates who qualify the Screening Test may apply to the Secretary, Medical Council of India, New Delhi or to any State Medical Council for provisional registration/permanent registration alongwith the requisite registration fee in favour of Secretary, Medical Council of India or the State Medical Council. The Medical Council of India or the State Medical Councils shall issue provisional registration to such successful candidates, who are yet to undergo one year internship in an approved institution and issue permanent registration to such eligible candidates who have already undergone one year internship, as the case may be. “

A conjoint reading of the extracted provisions in the Regulations, especially Regulation 11 which provides that candidates who qualify the Screening Test may apply to any State Medical Council for provisional or permanent registration and the State Medical Councils shall issue provisional registration to such candidates, who are yet to undergo one year internship in an approved institution and issue permanent registration to such eligible candidates who have already undergone one year internship, as the case may be, would show

that internship is not insisted for appearing in the Screening Test and that the only requirement for appearing in the Screening Test is that the candidates should possess a primary medical qualification as defined in the Regulations. The State Medical Council does not have a case that the petitioner did not possess a primary medical qualification as defined in the Regulations at the time when she applied for and cleared the Screening Test. In other words, the stand of the State Medical Council that only students who have completed internship as part of the medical course undertaken by them in the medical institution abroad are entitled to appear for the Screening Test is unsustainable. In the circumstances, question (i) is answered in favour of the petitioner.

19. Question (ii): It is seen that after Act 34 of 2001 in terms of which IMC Act was amended, the earlier scheme of the IMC Act to recognise foreign medical institutions has been changed and the scheme of the IMC Act thereafter is that a person who secures a medical qualification from a medical institution abroad is entitled to be enrolled on a State Medical Register, if the said medical qualification is recognised in the country of education for enrolment as medical practitioner and if he/she clears the Screening Test in terms of the requirement in Section 13(4A) of the IMC Act. Of course, after Act 34 of 2001, such candidates are required to obtain

Eligibility Certificate in terms of Section 13(4B) of the IMC Act in order to become eligible for obtaining medical qualification from any medical institution abroad and to appear for the Screening Test. In **Ishan Kaul and others v. Medical Council of India and another**, 2010 KHC 6491, referring to Act 34 of 2001, the Delhi High Court has clarified that the Eligibility Certificate is not institution specific, but only student specific in the sense that it only certifies the eligibility of the student to undertake a medical course abroad, if he/she wants to come back to India and practice medicine after clearing the Screening Test. Although Section 13(4B) of the IMC Act provides that a person shall not be eligible to get admission to obtain medical qualification granted by any medical institution abroad without obtaining an Eligibility Certificate issued by the Medical Council of India and in case any such person obtains such qualification without obtaining such Eligibility Certificate, he shall not be eligible to appear in the Screening Test, in **Shambhavi Sharma v. National Board of Examinations and Another**, 2010 SCC Online Del 4490, the Delhi High Court has held that merely for the reason that a person has not obtained Eligibility Certificate, he shall not be denied the right to appear for the Screening Test, if he is otherwise entitled to Eligibility Certificate. **Shambhavi Sharma** is a case where the candidate concerned has applied for Eligibility

Certificate after taking admission in the medical institution abroad. In the light of the decision of the Delhi High Court in **Shambhavi Sharma**, the omission, if any, on the part of a student in obtaining Eligibility Certificate before taking admission in a medical institution abroad cannot not be an impediment for claiming registration, if he/she was entitled to Eligibility Certificate, had he/she applied for the same.

20. Reverting to the facts, as noted, the petitioner in the case on hand has applied for and obtained Eligibility Certificate only after taking admission in the medical institution abroad. The State Medical Council has no case that the petitioner would not have been issued Eligibility Certificate, had she applied for the same before taking admission for the medical course in the medical institution abroad. In the circumstances, the stand of the State Medical Council that the qualification obtained by the petitioner cannot be regarded as one in accordance with the provisions of the IMC Act as she has not obtained Eligibility Certificate before taking admission, so as to become eligible to be enrolled as a medical practitioner in the State Medical Register, is unsustainable.

21. That apart, Section 13(4B) of the IMC Act itself provides that in case any person obtains any medical qualification without obtaining Eligibility Certificate, he shall not be eligible to

appear for the Screening Test. In other words, going by the said provision, the consequence of omission to obtain Eligibility Certificate is only that the candidate concerned will not be eligible to appear for the Screening Test. As far as the present case is concerned, the fact that the petitioner was permitted by the competent authority to appear for Screening Test and the fact that she has cleared the Screening Test are not disputed by the State Medical Council. True, the State Medical Council, while considering applications for registration, both provisional and permanent, has the power to verify whether the candidate has obtained Eligibility Certificate, but that does not mean that the State Medical Council is empowered to adjudicate the right of a person to obtain Eligibility Certificate and to appear for the Screening Test, ignoring the decisions taken by the Medical Council of India in this regard. As such, according to me, if it is found that a candidate has appeared for the Screening Test without there being any eligibility for the same, the State Medical Councils can only bring the said fact to the notice of the Medical Council of India to initiate appropriate proceedings for recalling the result of the Screening Test. I take this view for the reason that in terms of the provisions of the IMC Act, it is for the Medical Council of India to consider whether a particular candidate is eligible to obtain Eligibility Certificate and appear for

the Screening Test. If it is held that the State Medical Councils are empowered to adjudicate the eligibility of a candidate to appear for the Screening Test in which he has been qualified, the State Medical Councils will be able to nullify the results of the Screening Test collaterally, which would, in turn, affect the sanctity of the statutory Screening Test. In other words, once a candidate qualifies the Screening Test, the State Medical Council cannot reject the application for registration preferred by him on the ground that he was not eligible to appear for the Screening Test. It is all the more so since Section 13(4A) of the IMC Act provides that a person who obtains medical qualification granted by any medical institution outside India recognised for enrolment as a medical practitioner in that country shall be entitled to be enrolled on any State Medical Register, if he clears the Screening Test. Yet another reason for arriving at the said conclusion is that, as noted earlier, Regulation 11 of the Regulations also provides that candidates who qualify the Screening Test may apply to any State Medical Council for provisional or permanent registration and the State Medical Councils shall issue provisional registration to such candidates, who are yet to undergo one year internship in an approved institution and issue permanent registration to such eligible candidates who have already undergone one year internship, as the case may be. In other words,

if a candidate satisfies all the requirements for enrolling as a medical practitioner on a State Medical Register in India in accordance of the provisions of the IMC Act and the Regulations made thereunder, he cannot be denied registration by a State Medical Council. If the petitioner satisfies all the requirements for enrolling as a medical practitioner on a State Medical Register in accordance with the provisions of the IMC Act as also the regulations made thereunder, the State Medical Council cannot deny enrolment to her on the ground that she has obtained Eligibility Certificate after taking admission to the medical institution abroad and was consequently not eligible to appear for the Screening Test. As far as the case on hand is concerned, the petitioner satisfies all the eligibility criteria for registration in accordance with the provisions of the IMC Act and the regulations made thereunder and as such, she cannot be denied registration on the said ground. Question (ii), in the circumstances, is answered in favour of the petitioner.

22. Questions (iii) and (iv): Section 13(4A) of the IMC Act provides that a person who obtains medical qualification granted by any medical institution in any country outside India recognised for enrolment as medical practitioner in that country is entitled to be enrolled on a State Medical Register if he/she clears the Screening Test. Regulation 11 of the Regulations provides that candidates who

qualify the Screening Test may apply to any State Medical Council for registration and the State Medical Councils shall issue provisional registration to such candidates, who are yet to undergo one year internship in an approved institution and issue permanent registration to such eligible candidates who have already undergone one year internship, as the case may be. In other words, a person who obtains medical qualification granted by medical institutions outside India recognised for enrolment as medical practitioner in that country and who clears the Screening Test in terms of Section 13(4A) of the IMC Act, is entitled to be enrolled as a medical practitioner on any State Medical Register, if he has already undergone one year internship. The fact that the petitioner has obtained a medical qualification granted by a medical institution in a country outside India recognised for enrolment as medical practitioner in that country and the fact that she has cleared the Screening Test are not in dispute. Similarly, the fact that the petitioner has completed one year internship after acquiring the primary medical qualification is also not in dispute. If that be so, according to me, the State Medical Council is obliged to grant permanent registration to the petitioner and they cannot insist that the petitioner shall undergo CRRI for the said purpose. The State Medical Council does not seem to dispute the fact that they are

obliged to grant permanent registration to persons like the petitioner, for otherwise, there was no need at all to take a decision in the nature of Ext.P21. According to them, Ext.P21 decision was necessitated in order to ensure that the foreign medical graduates learn and gain clinical experience and exposure about the epidemiological and clinical profile of local community; that they learn and understand regional language and culture of the community; that they learn and get exposure on the unique public health care and delivery and referral system prevailing in the country and that they learn and gain experience about the national and State health intervention programs to counter the unique health challenges.

23. The requirement of law for practising medicine in terms of the IMC Act is that the name of the person concerned shall be entered in a State Medical Register. As far as the State of Kerala is concerned, the State Medical Register is the register of practitioners maintained by the State Medical Council in terms of TCMP Act. The scope of the power of the State Medical Council to deal with applications for registration in the register of practitioners maintained by them is as provided for in Section 23 of the TCMP Act. In terms of Section 23, every holder of a recognised medical qualification, who is not subject to any of the disqualifications

provided therein, is eligible for registration. The Schedule to the TCMP Act in which the particulars of the recognised medical qualifications are furnished includes all medical qualifications recognised under the IMC Act also. In other words, a person who is entitled to registration in a State Medical Register in terms of the provisions of the IMC Act cannot be denied registration by the State Medical Council. As evident from Section 13(4A) of the IMC Act, the medical qualifications of foreign medical graduates who satisfy the requirements in the said provision are deemed to be recognised medical qualifications for the purpose of the IMC Act for such persons. As noted, Regulation 11 of the Regulations confer such persons a right to obtain permanent registration, if they have already undergone one year internship as part of the medical course undertaken by them. The requirement in terms of Ext.P21 that such medical graduates should undergo CRRI for claiming permanent registration is inconsistent with the requirement in terms of the IMC Act and also the Regulations. The IMC Act is one relatable to Entry 66 of List I of the Seventh Schedule to the Constitution and the TCMP Act is one relatable to Entries 25 and 26 of List III of the Seventh Schedule. In **Medical Council of India v State of Karnataka and others**, (1998) 6 SCC 131, the Apex Court has held that the IMC Act which is relatable to Entry 66 of List I of Seventh Schedule to the

Constitution would prevail over any State enactments relatable to Entry 25 or 26 of List III of the Seventh Schedule. In other words, Ext.P21 decision of the State Medical Council being inconsistent with the provisions contained in the IMC Act, the same is invalid and unenforceable. This view of mine is consistent with the stand taken on this point by the National Medical Commission, the successor body of the Medical Council of India.

24. As pointed out by the learned counsel for the State Medical Council, it is seen that in W.P.(C) No.39576 of 2018, Ext.P21 decision of the State Medical Council was under challenge and the challenge was repelled by this Court holding that the same does not contravene any of the provisions of the IMC Act and the regulations made thereunder. It was also held by this Court in the said case that since the said decision is one issued in public interest to ensure the foreign medical graduates to get acclimatized with the diseases and the requirements of treatment in the State, the same cannot be said to be illegal. As noted, going by the provisions contained in Section 13(4A) of the IMC Act, a person who obtains a medical qualification granted by any medical institution in any country outside India recognised for enrolment as medical practitioner in that country is entitled to be enrolled on any State Medical Register, if he qualifies the Screening Test. Similarly, Regulation 11 of the Regulations also

confers the right to claim permanent registration from the State Medical Councils on candidates who have undergone internship as part of the medical course undertaken by them abroad and have qualified the Screening Test. As noted, Ext.P21 is a decision taken flouting the said statutory provisions. Ext.P16 judgment of this Court being one rendered without taking note of the said fact, according to me, there is no impediment in law in taking a decision in this matter independent of the decision in the said case [See **Siddharam Satlingappa Mhetre v. State of Maharashtra**, (2011) 1 SCC 694, **Municipal Corpn. of Delhi v. Gurnam Kaur**, (1989) 1 SCC 101 and **Jagannath Temple Managing Committee v. Siddha Math**, (2015) 16 SCC 542]. It is all the more so since Ext.P16 judgment of this Court has not become final as the appeal preferred against the same is still pending.

In the result, the writ petitions are disposed of directing the State Medical Council to permit the petitioner to apply for the permanent registration, and if applied, grant permanent registration to the petitioner without insisting her to undergo CRRI, if the application of the petitioner is otherwise in order. This shall be done within two months. It is made clear that this judgment will not preclude the State Medical Council from bringing to the notice of the National Medical Commission the requirement, if any, for the foreign

medical graduates to undergo internship afresh to get acclimatized with the diseases and requirements of treatment peculiar to the State in order to bring in force appropriate statutory amendments.

Sd/-

P . B . SURESH KUMAR

JUDGE

Mn

APPENDIX OF WP(C) 2992/2021

PETITIONER EXHIBITS

- EXHIBIT P1** TRUE COPY OF THE PETITIONER'S MARK LIST IN AISSCE 2014
- EXHIBIT P2** TRUE COPY OF THE M.B.B.CH DEGREE CERTIFICATE ISSUED IN FAVOUR OF THE PETITIONER.
- EXHIBIT P3** TRUE COPY OF THE STATEMENT OF MARKS OBTAINED BY THE PETITIONER IN M.B.B.CH DEGREE.
- EXHIBIT P4** TRUE COPY OF THE PETITIONER'S RESULT IN FOREIGN MEDICAL GRADUATION EXAMINATION DATED 22.11.2019
- EXHIBIT P5** TRUE COPY OF THE CERTIFICATE ISSUED BY THE DUBAI HEALTH AUTHORITY ON 27.9.2020 IN FAVOUR OF THE PETITIONER.
- EXHIBIT P6** TRUE COPY OF THE HEALTHCARE PROFESSIONAL REGISTRATION CERTIFICATE ISSUED TO THE PETITIONER BY THE GOVERNMENT OF DUBAI.
- EXHIBIT P7** TRUE COPY OF THE EMAIL DATED 23.11.2020 SENT BY CONSUL (EDUCATION) OF CONSULATE GENERAL OF INDIA, DUBAI TO THE 3RD RESPONDENT.
- EXHIBIT P8** TRUE COPY OF THE LETTER DATED 16.6.2020 ISSUED BY THE DEAN, DUBAI MEDICAL COLLEGE FOR GIRLS TO THE CONSUL (EDUCATION) OF CONSULATE GENERAL OF INDIA, DUBAI.
- EXHIBIT P9** TRUE COPY OF THE LETTER DATED 15.12.2020 ISSUED BY THE DEAN, DUBAI MEDICAL COLLEGE FOR GIRLS TO THE PETITIONER.
- EXHIBIT P10** TRUE COPY OF THE ORDER NO.C2-2698/2020/PROVISIONAL/M/C/F. DATED 17.8.2020 ISSUED BY THE 3RD RESPONDENT AND

**RELEVANT PAGES OF ANNEXURE 1 LIST
MENTIONED IN THE ORDER**

- EXHIBIT P11** TRUE COPY OF THE AFFIDAVIT SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXHIBIT P12** TRUE COPY OF THE JUDGMENT IN WP(C) NO.39576 OF 2018.
- EXHIBIT P13** TRUE COPY OF THE NOTICE ISSUED BY THE MINISTRY OF HEALTH AND FAMILY WELFARE.
- EXHIBIT P14** TRUE COPY OF THE NOTICE DATED 30.7.2020 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P15** TRUE COPY OF THE NOTICE DATED 2.9.2020 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P16** TRUE COPY OF THE PUBLIC NOTICE DATED 10TH SEPTEMBER 2017 APPEARED IN TIMES OF INDIA PUBLISHED BY THE MEDICAL COUNCIL OF INDIA, NEW DELHI
- EXHIBIT P17** TRUE COPY OF THE ELIGIBILITY CERTIFICATE GRANTED TO THE PETITIOENR BY THE MEDICAL COUNCIL OF INDIA
- EXHIBIT P18** TRUE COPY OF THE NOTICE ISSUED BY THE NATIONAL BOARD OF EXAMINATION
- EXHIBIT P19** TRUE COPY OF THE SPECIMEN APPLICATION FORM FOR PROVISIONAL/PERMANENT REGISTRATION FOR INDIAN NATIONALS
- EXHIBIT P20** TRUE COPY OF THE PRINTOUT OF THE RELEVANT PAGE OBTAINED FROM THE WEBSITE EVIDENCING THE INSTRUCTIONS GIVEN TO THE PETITIONER
- EXHIBIT P21** TRUE COPY OF THE APPLICATION FOR PROVISIONAL FOREIGN REGISTRATION DATED 18.01.2020 SUBMITTED BY THE PETITIONER
- EXHIBIT P22** TRUE COPY OF THE RELEVANT EXTRACT OF THE LIST OF FOREIGN MEDICAL INSTITUTIONS/UNIVERSITIES PUBLISHED BY THE

MEDICAL COUNCIL OF INDIA IN ITS WEBSITE.

EXHIBIT P23 TRUE COPY OF THE NOTIFICATION ISSUED BY
THE MINISTRY OF HEALTH AND FAMILY WELFARE,
NEW DELHI DATED 2ND SEPTEMBER 2019

EXHIBIT P24 TRUE COPY OF THE NOTIFICATION ISSUED BY
THE MINISTRY OF HEALTH AND FAMILY WELFARE,
NEW DELHI DATED 24TH SEPTEMBER 2020

EXHIBIT P25 TRUE COPY OF THE JUDGMENT IN WRIT APPEAL
NO 1667 OF 2020 DATED 16TH DAY OF MARCH
2021 OF THIS HONBLE COURT

RESPONDENTS EXHIBITS

EXHIBIT R3 (A) TRUE PHOTOCOPY OF THE RESOLUTION DATED
20.10.2017

EXHIBIT R3 (B) A TRUE PHOTOCOPY OF THE MINUTES OF THE
MEETING OF THE UGMEB HELD ON 19.05.2021

EXHIBIT R3 (C) A TRUE PHOTOCOPY OF THE COMMUNICATION
ISSUED BY THE REGISTRAR OF THE COUNCIL TO
THE PRD DT.14.11.2017

EXHIBIT R3 (D) A TRUE COPY OF THE APPLICATION FOR
PROVISIONAL REGISTRATION DATED 18.01.2020,
SUBMITTED BY THE PETITIONER BEFORE THE 3RD
RESPONDENT.

APPENDIX OF WP(C) 12544/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE PUBLIC NOTICE DATED 10TH SEPTEMBER, 2017, APPEARED IN TIMES OF INDIA PUBLISHED BY THE MEDICAL COUNCIL OF INDIA, NEW DELHI
- Exhibit P2 TRUE COPY OF ELIGIBILITY CERTIFICATE GRANTED TO THE PETITIONER BY THE MEDICAL COUNCIL OF INDIA
- Exhibit P3 TRUE COPY OF THE DEGREE CERTIFICATE OBTAINED BY THE PETITIONER
- Exhibit P4 TRUE COPY OF THE STATEMENT OF MARKS OBTAINED BY THE PETITIONER
- Exhibit P5 TRUE COPY OF THE PETITIONER'S RESULT IN FOREIGN MEDICAL GRADUATION EXAMINATION DATED 22.11.2019
- Exhibit P6 TRUE COPY OF THE BACHELOR DEGREE IN MEDICINE AND SURGERY (M.B.B.CH) CERTIFICATE ISSUED BY THE DUBAI HEALTH AUTHORITY ON 27.09.2020 TO THE PETITIONER
- Exhibit P7 TRUE COPY OF THE HEALTHCARE PROFESSIONAL REGISTRATION CERTIFICATE TO THE PETITIONER
- Exhibit P8 TRUE COPY OF THE LETTER DATED 16.06.2020 ISSUED BY THE DEAN, DUBAI MEDICAL COLLEGE FOR GIRLS TO THE COUSUL(EDUCATION) OF CONSULATE GENERAL OF INDIA, DUBAI
- Exhibit P9 TRUE COPY OF THE LETTER DATED 15.11.2020 ISSUED BY THE DEAN, DUBAI MEDICAL COLLEGE FOR GIRLS
- Exhibit P10 TRUE COPY OF THE EMAIL DATED 23.11.2020 SENT BY CONSUL (EDUCATION) OF CONSULATE GENERAL OF INDIA, DUBAI TO THE 2ND

RESPONDENT

- Exhibit P11** TRUE COPY OF THE ORDER NO.C2-2698/2020 /PROVISIONAL/M.C/F. DATED 17.08.2020 ISSUED BY THE 4TH RESPONDENT AND RELEVANT PAGES OF ANNEXURE 1 LIST MENTIONED IN THE ORDER
- Exhibit P12** TRUE COPY OF THE AFFIDAVIT SUBMITTED BEFORE THE TRAVANCORE COCHIN MEDICAL COUNCIL DT 26.8.20
- Exhibit P13** TRUE COPY OF THE NOTICE ISSUED BY THE MINISTRY OF HEALTH AND FAMILY WELFARE
- Exhibit P14** TRUE COPY OF THE NOTICE DATED 30.07.2020 ISSUED BY THE MCI
- Exhibit P15** TRUE COPY OF THE NOTICE DATED 02.09.2020 ISSUED BY THE MCI
- Exhibit P16** TRUE COPY OF THE JUDGMENT IN WP(C) NO.39576 OF 2018 DATED 21.8.2017
- Exhibit P17** TRUE COPY OF THE INTERIM ORDER DATED 19.3.2021 IN WPC NO.2992 OF 2021
- Exhibit P18** TRUE COPY OF THE LETTER DATED 9.6.2021 ISSUED TO THE PETITIONER BY THE 4TH RESPONDENT
- Exhibit P19** TRUE COPY OF THE RECEIPT ISSUED BY THE ASTER MEDICITY TO THE PETITIONER EVIDENCING PAYMENT OF FEE OF RS 18,38,579/- BY THE PETITIONER
- Exhibit P20** TRUE COPY OF THE LETTER OF ENROLLMENT DATED 12.06.2021 ISSUED TO THE PETITIONER BY THE 4TH RESPONDENT
- Exhibit P21** TRUE COPY OF THE LETTER DATED 15.06.2021 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT VIA.EMAIL AND POST

APPENDIX OF WP(C) 18825/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE PUBLIC NOTICE DATED 10TH SEPTEMBER, 2017 APPEARED IN TIMES OF INDIA PUBLISHED BY THE MEDICAL COUNCIL OF INDIA, NEW DELHI.
- Exhibit P2 TRUE COPY OF THE ELIGIBILITY CERTIFICATE GRANTED TO THE PETITIONER BY THE MEDICAL COUNCIL OF INDIA.
- Exhibit P3 TRUE COPY OF THE DEGREE CERTIFICATE OBTAINED BY THE PETITIONER.
- Exhibit P4 TRUE COPY OF THE STATEMENT OF MARKS OBTAINED BY THE PETITIONER.
- Exhibit P5 TRUE COPY OF THE PETITIONER'S RESULT IN FOREIGN MEDICAL GRADUATION EXAMINATION DATED 22.11.2019.
- Exhibit P6 TRUE COPY OF THE BACHELOR DEGREE IN MEDICINE AND SURGERY (M.B.B.CH) CERTIFICATE ISSUED BY THE DUBAI HEALTH AUTHORITY ON 27.09.2020 TO THE PETITIONER.
- Exhibit P7 TRUE COPY OF THE HEALTHCARE PROFESSIONAL REGISTRATION CERTIFICATE TO THE PETITIONER.
- Exhibit P8 TRUE COPY OF THE LETTER DATED 16.06.2020 ISSUED BY THE DEAN, DUBAI MEDICAL COLLEGE FOR GIRLS TO THE CONSUL (EDUCATION) OF CONSULATE GENERAL OF INDIA, DUBAI.
- Exhibit P9 TRUE COPY OF THE LETTER DATED 15.11.2020 ISSUED BY THE DEAN, DUBAI MEDICAL COLLEGE FOR GIRLS.
- Exhibit P10 TRUE COPY OF THE EMAIL DATED 23.11.2020

SENT BY CONSUL (EDUCATION) OF CONSULATE GENERAL OF INDIA, DUBAI TO THE 2ND RESPONDENT.

- Exhibit P11 TRUE COPY OF THE ORDER NO.C2-2698/2020/PROVISIONAL/M.C/F. DATED 17.08.2020 ISSUED BY THE 4TH RESPONDENT AND RELEVANT PAGES OF ANNEXURE 1 LIST MENTIONED IN THE ORDER.
- Exhibit P12 TRUE COPY OF THE AFFIDAVIT SUBMITTED BEFORE THE TRAVANCORE COCHIN MEDICAL COUNCIL.
- Exhibit P13 TRUE COPY OF THE NOTICE ISSUED BY THE MINISTRY OF HEALTH AND FAMILY WELFARE.
- Exhibit P14 TRUE COPY OF THE NOTICE DATED 30.07.2020 ISSUED BY THE MCI.
- Exhibit P15 TRUE COPY OF THE NOTICE DATED 02.09.2020 ISSUED BY THE MCI.
- Exhibit P16 TRUE COPY OF THE JUDGMENT IN WP(C)NO.39576 OF 2018.
- Exhibit P17 TRUE COPY OF THE INTERIM ORDER DATED 19.03.2021 IN WPC NO.2992 OF 2021.
- Exhibit P18 TRUE COPY OF THE LETTER DATED 09.06.2021 ISSUED TO THE PETITIONER.
- Exhibit P19 TRUE COPY OF THE RECEIPT ISSUED BY THE ASTER MEDICITY TO THE PETITIONER EVIDENCING PAYMENT OF FEE OF RS.18,38,591/- BY THE PETITIONER.
- Exhibit P20 TRUE COPY OF THE LETTER OF ENROLLMENT DATED 12.06.2021 ISSUED TO THE PETITIONER ASTER MEDCITY.
- Exhibit P21 TRUE COPY OF THE RESOLUTION DATED 20TH OCTOBER, 2017 BY THE 2ND RESPONDENT.
- Exhibit P22 TRUE COPY OF THE JUDGMENT IN WRIT APPEAL NO.1667 OF 2020 DATED 16TH DAY OF MARCH

2021 OF THIS HON'BLE COURT.

Exhibit P23

TRUE COPY OF THE NOTIFICATION ISSUED BY
THE MINISTRY OF HEALTH AND FAMILY WELFARE,
NEW DELHI DATED 2ND SEPTEMBER 2019.

Exhibit P24

TRUE COPY OF THE NOTIFICATION ISSUED BY
THE MINISTRY OF HEALTH AND FAMILY WELFARE,
NEW DELHI DATED 24TH SEPTEMBER 2020.

Exhibit P25

TRUE COPY OF THE KERALA STATE MEDICAL
PRACTITIONERS ORDINANCE 2021 (ORDINANCE
43/2021) PROMULGATED BY THE STATE OF
KERALA.